

# EXHIBIT A

IN THE COMMON PLEAS COURT  
CUYAHOGA COUNTY, OHIO

CHRISTINA LUNA  
3908 Clinton Avenue  
Lorain, Ohio 44055

Plaintiff

-vs-

SPIRIT AIRLINES, INC  
C/O Statutory Agent  
Corporation Service Company  
50 West Broad Street  
Columbus, Ohio 43215

and

JOHN DOE PILOT  
Whose exact identity and address  
Cannot be ascertained at this time

Case No.

JUDGE:

CIVIL COMPLAINT

(JURY DEMAND ENDORSED  
HEREON)

\*\*\*\*\*

COMPLAINT

Now comes Plaintiff Christina Luna, by and through undersigned counsel, and for her cause of action states as follows and/or pleads in the alternative:

COUNT I

1. At all times relevant hereto, the Plaintiff resided in Lorain, County, Ohio
2. The incident forming the basis of Plaintiff's Complaint occurred at the Cleveland Hopkins International Airport, in the City of Cleveland, County of Cuyahoga, State of Ohio.

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OBRAL, SILK  
&  
ASSOCIATES, LLC  
ATTORNEYS AT LAW  
55 Public Square  
Suite #1700  
Cleveland, Ohio 44113  
216-LAWYERS

3. Defendant Spirit Airlines, Inc. maintains significant business contacts in the City of Cleveland, County of Cuyahoga, State of Ohio including, but not limited to operating jets to and from Cleveland Hopkins International Airport, and operating commercial flights out of gates designated for it from the Cleveland Hopkins International Airport.
4. At all times relevant hereto, on or about June 8, 2016, the Plaintiff, Christina Luna, was a passenger in a Spirit Airlines, Inc. jet, on a trip originating from Ft. Lauderdale, Florida travelling to Cleveland, Ohio.
5. At that time and place, John Doe Pilot was operating a jet on behalf of Spirit Airlines, Inc., and in his course and scope of employment with Spirit Airlines, Inc.
6. Defendant John Doe Pilot negligently operated the jet by among other things, improperly landing said jet, failing to maintain a safe landing speed and/or position, failing to keep a proper look out, failing to apply proper thrust, and/or failing to apply proper braking mechanisms therefore causing the jet to land violently on the runway at Cleveland Hopkins International Airport, and/or failing to warn the Plaintiff of a hard landing.
7. As a direct and proximate result of said negligence of Defendant John Doe Pilot, The Plaintiff, Christina Luna, suffered serious and painful personal injuries, and was required to incur expense of medical care, and treatment, lost wages, and pain and suffering. All of the foregoing injuries and damages are permanent in nature and will continue into the foreseeable future.

**COUNT II**

8. The allegations of all of the preceding paragraphs of this Complaint are herein incorporated by reference as though fully rewritten herein.
9. At all times relevant hereto, Defendant Spirit Airlines, Inc. was the employer of Defendant John Doe Pilot.
10. At all times relevant hereto, the Defendant, John Doe Pilot, was acting within the course and scope of his/her employment or agency at the time of the landing of the jet.
11. Defendant Sprit Airlines, Inc. is liable for the negligent acts of its employee or agent, Defendant John Doe, Pilot.

**COUNT III**

12. The allegations of all of the preceding paragraphs of this Complaint are herein incorporated by reference as though fully rewritten herein.
13. At all times relevant hereto, Defendant Spirit Airlines, Inc., owned, operated, controlled, maintained and/or leased passenger jet being operated by Defendant John Doe Pilot.
14. Defendant Spirit Airlines, Inc., negligently entrusted its passenger jet to Defendant John Doe Pilot.
15. As a Direct and proximate result of the negligence of Defendant Spirit Airlines, Inc., the Plaintiff, Christina Luna, suffered serious and painful injuries and was required to incur expense of medical care, and treatment, lost

OBRAL, SILK  
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216-LAWYERS

wages, and pain and suffering. All of the foregoing injuries and damages are permanent in nature and will continue into the foreseeable future.

COUNT IV

16. The allegations of all of the preceding paragraphs of this Complaint are herein incorporated by reference as though full rewritten herein.
17. Defendant Spirit Airlines, Inc. was negligent in failing to properly train, instruct, and supervise its pilot, Defendant John Doe Pilot.
18. As a Direct and proximate result of the negligence of Defendant Spirit Airlines, Inc., the Plaintiff, Christina Luna, suffered serious and painful injuries and was required to incur expense of medical care, and treatment, lost wages, and pain and suffering. All of the foregoing injuries and damages are permanent in nature and will continue into the foreseeable future

COUNT V

19. The allegations of all of the preceding paragraphs of this Complaint are herein incorporated by reference as though full rewritten herein.
20. Plaintiff further alleges that Defendant John Doe Pilot, at all times relevant herein, was impaired and was operating the passenger jet while knowing, or in the exercise of reasonable care should have known, that he/she was too tired and fatigued to safely operate the passenger jet.
21. Defendant John Doe Pilot continued to operate the passenger jet for an excessively long period of time, which was in violation of state and/or federal laws and/or Federal Aviation Administration regulations.

22. Defendant Spirit Airlines, Inc. failed to implement the proper policies, procedures, and systems that would have prevented its employee and/or agent, Defendant John Doe Pilot from operating the passenger jet while he/she was too tired or fatigued to do so.
23. Defendant Spirit Airlines Inc., failed to implement and enforce an appropriate fatigue detection and management system to prevent its pilots from flying Spirit Airlines, Inc. jets while too tired and fatigued to safely do so.
24. Defendant Spirit Airlines, Inc. failed to train, teach and educate its pilots, including Defendant John Doe Pilot, to self-detect levels of tiredness and fatigue that would prevent the safe flying of a Spirit Airlines jet.
25. Spirit Airlines, Inc. allowed its pilot, Defendant John Doe Pilot, to operate the passenger jet for an excessively long period of time, which was in violation of state/and or federal laws and/or Federal Aviation Administration regulations.
26. Defendant Spirit Airlines, Inc., placed its financial and pecuniary business interests ahead of the safety of its passengers, including Plaintiff Christina Luna.
27. Defendant Spirit Airlines, Inc.'s actions were reckless, intentional, willful, wanton and/or malicious such that they constitute a conscious disregard for the rights and safety of Plaintiff Christina Luna, and that had a great probability of causing substantial harm to Plaintiff Christina Luna.
28. Plaintiff is entitled to compensatory damages, punitive damages, and attorneys fees against Defendant Spirit Airlines, Inc.

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55 Public Square  
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216.1.LAWYERS

WHEREFORE, Plaintiff Christina Luna demands judgment against the Defendants, Spirit Airlines, Inc., and John Doe Pilot jointly and severally, in an amount in excess of Twenty-Five Thousand Dollars (>\$25,000.00), prejudgment interest and post judgment interest at the maximum allowable rate, and for such further relief as this Court deems fair, just and equitable and in an amount in excess of Twenty-Five Thousand Dollars (>\$25,000.00) in punitive damages to be determined at trial, prejudgment interest and post judgment interest at the maximum allowable rate; costs in bringing this action, including a reasonable sum for Plaintiff's attorney fees; and for such further relief as this Court deems fair, just and equitable.

Respectfully submitted,

/s/ Alexander L. Pal  
**ALEXANDER L. PAL (0085100)**  
**ATTORNEY FOR PLAINTIFF**  
**OBRAL, SILK & ASSOCIATES, LLC**  
55 Public Square  
STE #1700  
Cleveland, Ohio 44113  
**(216) 529-9377**  
(216) 696-3228 - Facsimile  
APal@216lawyers.com

**JURY DEMAND**

A trial by the maximum number of jurors permitted by law is demanded herein.

Respectfully submitted,

/s/ Alexander L. Pal  
**ALEXANDER L. PAL (0085100)**  
**ATTORNEY FOR PLAINTIFF**

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